

CITY OF ALAMO HEIGHTS
CITY COUNCIL
August 11, 2008

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, August 11, 2008.

Present and composing a quorum were:

Mayor Louis Cooper
Councilman Stan McCormick
Councilman Bobby Rosenthal
Mayor Pro-Tempore Councilwoman Jill Souter
Councilman Bill Kiel
Councilwoman Susan Harwell

Also attending were:

City Manager Rebecca Waldman
City Attorney Mike Brennan
Assistant to City Manager/Information Technology Manager Marian Ramirez
Finance Director Cynthia Barr
Human Resource Manager/Deputy City Secretary Judith E. Surratt
City Secretary Denise M. Silva
Community Development Director Ann McGlone
Public Works Director Shawn P. Eddy
Police Chief Rick Pruitt
Fire Chief Bill Hagendorf

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Mayor Louis Cooper called the meeting to order at 5:36 p.m.

Item #1

Mayor Louis Cooper read and presented a Proclamation recognizing Steve Souter for his accomplishments in architecture and his recent admission to the College of Fellows for the American Institute of Architects.

Councilman Bobby Rosenthal read and presented a Proclamation recognizing Robert Harris for his accomplishments in architecture and his recent admission to the College of Fellows for the American Institute of Architects.

Councilman Stan McCormick read and presented a Proclamation recognizing Michael G. Imber for his accomplishments in architecture and his recent admission to the College of Fellows for the American Institute of Architects.

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Item #2 Mayor Cooper asked City Council for any corrections to the minutes of the July 16, 2008, City Council Special Meeting/Work Session. A motion was made by

Councilman Stan McCormick to approve the minutes of July 16, 2008 as submitted. Motion was seconded by Councilwoman Susan Harwell and passed by unanimous vote.

Mayor Cooper then asked City Council for any corrections to the minutes of the July 21, 2008, City Council Meeting. A motion was made by Councilman Stan McCormick to approve the minutes of July 21, 2008 as amended. Motion was seconded by Councilman Bill Kiel and passed by unanimous vote.

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Item #3 Fire Chief Bill Hagendorf recognized Norman Carroll on his retirement after 23 years of service with the Alamo Heights Fire/EMS Department and presented Norman with a plaque in appreciation for his years of service.

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Item #4 Police Chief Rick Pruitt introduced new employees in the Police Department and shared background information on Officer Lyle Key, Officer Steven Orr and Dispatcher Jennifer Dutton.

Mayor Cooper and Council members welcomed the new employees to Alamo Heights.

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Item #5 Police Chief Pruitt recognized Dispatcher Heather Ward for her commendable actions in a potential life threatening situation involving a suicidal subject and presented Heather with a Certificate of Commendation.

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Item #6 City Manager Rebecca Waldman asked Police Chief Rick Pruitt for a report on the upcoming National Night Out event. Police Chief Pruitt explained that the event is held in August, but in Texas only the event has been moved to October 7, 2008, due to the hot weather. Chief Pruitt encouraged everyone to participate in the event which will take place between the hours of 7 p.m. and 10 p.m. Chief Pruitt stated that the upcoming City's newsletter and an email blast will be sent out containing information on National Night Out.

Finance Director Cynthia Barr explained the reason a resolution was not on the agenda that evening. Ms. Barr advised City Council she has been asked to participate in a legislative policy committee by Texas Municipal League (TML) to review certain matters that might be considered in the upcoming legislative session. Ms. Barr explained that her committee will be meeting in the next few days and she will be able to obtain more information on fuel surcharges. Ms. Barr stated that many other cities have considered the possibility of implementing a "fuel surcharge" for motorists convicted of speeding and other moving violations. This type of fuel charge is not permitted in Texas at this time. Ms. Barr stated that a resolution addressed to TML endorsing and supporting such legislation will be presented for City Council's consideration at the August 25, 2008, City Council meeting. Ms. Barr informed City Council that Mayor Cooper has signed a letter of support addressed to TML.

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Citizens to be heard concerning items not listed on the agenda

Lisa Price, 207 Alta Avenue, presented to City Council a petition signed by residents on Ogden Lane requesting the installation of a stop sign between 100 block and 200 block of Alta Avenue east and west bound. Ms. Price shared her concerns with excessive and high speeds of traffic in an area with lots of children present. Mayor Cooper advised Ms. Price that there is a process in place for requesting stop signs and asked Ms. Price to forward her request to City staff. (The petition for the stop sign submitted by Ms. Price is made a part of the official documents on file for this meeting.)

Sarah Reveley, 436 Corona Avenue, shared her recent experience regarding a leaky transformer replaced by her home and expressed her concerns with chemical contamination. Ms. Reveley requested an independent environmental certification be obtained for her. (A letter containing Ms. Reveley's request is made a part of the official documents on file for this meeting.)

Margaret Houston, 140 Patterson Avenue, commented that the outstanding service provided by the Fire Department is one of the reasons that makes Alamo Heights a wonderful place to live. Ms. Houston added that the Alamo Heights Police Department has outstanding officers.

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Staff Reports

Item #7 Ms. Waldman showed a PowerPoint and presented the Proposed FY 2009 Operating Budget and Ad Valorem Tax Rate for the City of Alamo Heights. Ms. Waldman reviewed the Fiscal and Budget Policy and stated that amendments to that policy will be presented for City Council consideration at the August 25, 2008, meeting. Ms. Waldman provided summaries of the Budget and General Fund and clarified that the FY 08 budget is for eighteen months. Ms. Waldman showed a chart illustrating how the Proposed FY 09 General Fund Revenues would be used.

Ms. Waldman reviewed the FY 2009 Effective Tax Rate and the FY 2009 Rollback Tax Rate. Ms. Waldman stated that no rate increase is proposed for FY 2009 and explained that the Proposed Tax Rate is \$0.355662 per \$100 valuation. Ms. Waldman explained how the proposed tax rates are calculated and that they are required by House Bill 3195.

Ms. Waldman showed a chart illustrating the FY 2009 Proposed General Fund Departmental Allocations and reviewed a summary of proposed allocations. Ms. Waldman reviewed the General and Utility Funds with the projected revenues and operating appropriations. Ms. Waldman explained the contributions and appropriations to the Capital Replacement Fund as well as other special revenue funds.

Ms. Waldman reviewed the proposed improvements for the Administration and Finance Department. Ms. Waldman explained that the proposed 2009 budget includes funds to provide for the distribution of performance pay based on employee evaluations to be effective April 1, 2008. The budget also includes several proposed changes to employee benefits including conversion of vacation leave to annual leave, implementation of personal

leave and personal leave buy-back, conversion of sick leave to banked sick leave and limiting the accrual of compensatory time.

The proposed improvement for the Community Development Department is funding for the development of the Comprehensive Plan for the City of Alamo Heights.

Ms. Waldman stated that there were changes made to the proposed budget for the Fire/EMS Department. Ms. Waldman explained that Fire Chief Bill Hagendorf recommended not hiring the additional three firefighters/EMS staff as originally proposed, but instead will utilize the existing administrative staff as needed to ensure full staffing. Also recommended by Fire Chief Hagendorf was the remounting of current ambulances and purchasing of refurbished heart monitors with extended service plans. Ms. Waldman explained that these proposed changes will provide cost savings in staffing and future EMS vehicle and equipment replacement. Ms. Waldman also reviewed the proposed improvements for the Fire/EMS Department which includes the regrade of firefighters/paramedics, driver/operator certification incentive pay, capital firefighting equipment and paramedic training.

Ms. Waldman reviewed the proposed improvements for the Police Department. Proposed in the budget for the Police Department is the addition of two full-time Patrol Officers. Ms. Waldman explained that the addition of these two positions will increase the department's minimum staffing and capability from two officers to three officers per shift. Also included in the budget is the regrade of police officers, dispatchers and dispatch supervisor.

Ms. Waldman reviewed the proposed improvements for the Public Works Department which include the addition of an equipment operator and costs to implement a new multi-family and commercial solid waste program. The proposed improvements for the Public Works-Utilities Division include the replacement of water mains, addition of a utility technician, preventative maintenance of sanitary sewer mains and utility differential pay for non-exempt utility division staff.

At the close of her presentation, Ms. Waldman announced that a public hearing on the FY 2009 Proposed Budget is scheduled for Monday, September 8, 2008. Ms. Waldman added that City Council will consider adoption of the FY 2009 Annual Operating Budget and Ad Valorem Tax Rate on Monday, September 22, 2008. The presentation and proposed budget document are available for viewing at the City's website. Hard copies of the proposed budget document may be purchased at City Hall.

Councilwoman Jill Souter stated she would like a briefing on the City's standing with the Texas Municipal Retirement System before next year's budget.

Councilman Bill Kiel commented on the staffing changes in EMS and explained the necessity of having adequate personnel to respond to multiple calls in the tri-city service area. Mr. Kiel explained that three firefighters were added to Fire/EMS last year to increase the department's staffing from seven to eight firefighters per shift. Plans were to add another three firefighters this year to increase staffing but staff's review of ISO rating requirements and decision to use administrative staff helped determine that extra staffing would not be needed. Mr. Kiel commended the Fire Chief and staff for revising the policy to achieve what was needed.

Finance Director, Cynthia Barr, answered Ms. Pat Evan's questions concerning the City's reserves and explained the purpose of reserve funds.

Margaret Houston, 140 Patterson, suggested community input in the shop local campaign, asked for clarification on "regrade", inquired how some positions were funded, asked for City Council to consider shift differential pay for the Police Department, inquired on the water leak detection program and commented on missing boards on the fence surrounding the Public Works yard.

Item #8 Public Works Director Shawn Eddy presented a proposal for a local sales and use tax to provide revenue for maintenance and repair of municipal streets. Mr. Eddy explained that a bill was passed by Texas Legislature in 2001 allowing cities to raise their local sales tax rate by one-eighth or one-quarter of one percent if the funds are dedicated to street maintenance and repairs. Approval of a one-quarter of one percent increase in sales tax by the voters would generate approximately \$195,000 in additional sales tax revenue each year for street maintenance. Mr. Eddy stated that utilizing sales tax for street maintenance would share the cost of maintaining streets with visitors doing business in Alamo Heights in addition to residents that pay property taxes.

Mr. Eddy stated that staff recommends City Council approve an ordinance on August 25, 2008 to place the proposed street maintenance sales tax on the November 4, 2008 election ballot. Mr. Eddy added that if approved, the additional sales tax would become effective April 1, 2009. The sales tax would be effective for four years after which voter approval would be required to reauthorize the sales tax increase.

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Consent Items Mayor Cooper read the captions to the following items.

Item #9 Request by the San Antonio Roadrunners Association to hold "Fleet Feet Sports Sunrise 10K Run" event on August 23, 2008 as a fundraiser to provide scholarships for underprivileged youth and assistance to runners having special needs.

Item #10 An Ordinance authorizing and approving an expenditure not to exceed \$89,126 from the Unreserved General Fund for the installation of intersection street signs by American Signal, Inc. which constitutes the lowest bid received from a competitive bid process conducted by city staff.

Item #11 Consideration of proposed Settlement Agreement in connection with Ken Boyar et al v. City of Alamo Heights, Causes No. 2001-CI-12216 and 2007-CI-03696.

Staff recommendation was approval of each consent item. A motion was made by Councilman Bobby Rosenthal to approve consent items #9, #10 and #11. Motion was seconded by Councilman Bill Kiel and passed by unanimous vote.

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Items for Individual Consideration.

Item #12 An Ordinance authorizing the City Manager to accept the low bid and enter into a contract with Lone Star Steel Construction for the amount of \$159,110.41 and consideration of a request for the additional expenditure of \$33,000 for a revised total amount not to exceed \$195,000 from the Unreserved General Fund Balance to purchase, erect and install a 3,360 sf temporary metal building to house the City's new ladder fire truck and fire apparatus and consideration of the design of the temporary metal building on the vacant property south of City Hall located at 6116 Broadway on property zoned B-1.

Fire Chief Hagendorf provided background information on the request and the need for the construction of the temporary building. He explained that the budget cuts he has recommended for the Fire/EMS Department will help with the proposed budget. Fire Chief Hagendorf stated that Alamo Heights is the lead city in the tri-city emergency services contract with Olmos Park and Terrell Hills and this cost savings will benefit the partner cities as well.

Mr. Eddy explained that on June 23, 2008, City Council approved an amount not to exceed \$162,000 for the temporary building project. Mr. Eddy reviewed the costs involved with purchase of the metal building. Mr. Eddy stated that the low bid received is higher than originally anticipated due to the rise in construction prices and increased trucking costs. The \$195,000 did not include the cost for the site engineering which will need to be added to the total amount. Mr. Eddy stated that staff recommends a revised total amount not to exceed \$201,650.

There was discussion between City Council members and staff concerning the amount of time the temporary building will be needed. Mr. Eddy explained that the temporary building will be used for possibly three years.

John Joseph, 206 Joliet Avenue, shared his recollection of the initial costs and features of the temporary building. Councilman Bill Kiel explained the background on how the city facilities were assessed and the purpose of the temporary building project. Councilman Kiel and Ms. Waldman clarified the initial plans and estimates of the temporary building project.

After discussion, a motion was made by Councilwoman Susan Harwell to accept the low bid and enter into a contract with Lone Star Steel Construction for the amount of \$159,110.41, and revised additional expenditure of \$39,650, for a revised total amount not to exceed \$201,650 from the Unreserved General Fund Balance to purchase, erect and install a temporary metal building. Motion was seconded by Councilman Bill Kiel and passed by unanimous vote.

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Item #13 Community Development Director Ann McGlone presented for City Council's consideration a Request for a Demolition Permit for 130 Grant Avenue, by Jack Cooper Investments, owner, represented by Myles Caudill, to demolish the existing two-story house, except for the smaller two-story masonry component, in order to construct a two-story house with one-story wings and a one-story detached garage on a property zoned Single Family – A.

Myles Caudill, Architect, representing Jack Cooper Investments, informed City Council that he had met with the neighbors and plans to follow through with the changes to address neighbors' concerns for privacy. Neighbors had asked that any second story windows not look directly into their backyards. Mr. Caudill stated he has agreed to install frosted glass windows or not have windows on the second floor facing his neighbors.

Cathy Obriotti Green, 128 Grant Avenue, stated she appreciated Mr. Caudill working with the neighbors about the privacy issue and added that the project will be an improvement to the neighborhood.

Robert McClane, 132 Grant Avenue, stated he also appreciated Mr. Caudill working with the neighborhoods and showing them the proposed construction plans. Mr. McClane stated he favors demolition of the current structure.

Councilwoman Susan Harwell asked Mr. Caudill about changes to the grade and water runoff. Mr. Caudill responded that he will comply with the City's regulations concerning water runoff.

Councilwoman Jill Souter asked if Mr. Caudill was aware about the handling of asbestos siding. Mr. Caudill stated he would comply with any regulations concerning handling of asbestos siding. Councilwoman Souter asked that the city's policy on handling of asbestos be reviewed at the next Neighborhood Character and Commercial Revitalization committee meeting.

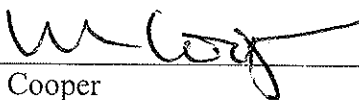
After discussion, a motion was made by Councilwoman Jill Souter to approve the demolition permit for 130 Grant Avenue as requested. Motion was seconded by Councilwoman Susan Harwell and passed by unanimous vote.

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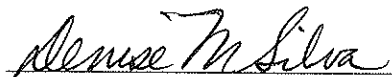
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There being no further business, a motion was made by Councilman Stan McCormick to adjourn the meeting. Motion was seconded by Councilman Bobby Rosenthal and passed by unanimous vote. Mayor Cooper adjourned the meeting at 8:30 p.m.



Louis Cooper
Mayor



Denise M. Silva
City Secretary